

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Baltimore Urbano,

Case No. 21-cv-2657 (WMW/LIB)

Petitioner,

ORDER

v.

Warden J Fikes,

Respondent.

Before the Court is Petitioner Baltimore Urbano's motion to withdraw his petition for a writ of habeas corpus. (Dkt. 5.) Urbano may voluntarily dismiss this case at any time before Respondent Warden J Fikes files an answer or motion for summary judgment. *See* Fed. R. Civ. P. 41(a)(1)(A)(i). Fikes has neither answered Urbano's habeas petition nor moved for summary judgment. For this reason, the Court grants Urbano's motion to withdraw his habeas petition. Urbano's habeas petition is, therefore, dismissed without prejudice.

ORDER

Based on the foregoing analysis and all the files, records and proceedings herein, **IT IS HEREBY ORDERED:**

1. Petitioner Baltimore Urbano's motion to withdraw his petition for a writ of habeas corpus, (Dkt. 5), is **GRANTED**.

2. Petitioner Balmore Urbano's petition for a writ of habeas corpus, (Dkt. 1), is
DISMISSED WITHOUT PREJUDICE.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: January 19, 2022

s/Wilhelmina M. Wright
Wilhelmina M. Wright
United States District Judge